REMARKS

Claims 1-32 and 34-42 are pending herein.

I. The objections to claim 4.

Applicants respectfully note that claim 4 has been amended to clarify the structural nature of claim 4. Thus, it is respectfully asserted that claim 4 is a proper dependent claim and therefore the objections to claim 4 have been overcome.

II. The rejections of claims 1-20 based on Gelbart (US 5,305,091) in view of Sciaky (US 4,651,283) as noted on page 3 of the Office Action.

The USPTO respectfully rejects claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable based on Gelbart in view of Sciaky. Claim 1 is an independent claim.

A. The cited references do not teach or suggest a rotatable portion that is rotatable with respect to a stationary portion and an emission end of a optical fiber system disposed on the rotatable portion, as claimed in claim 1.

Claim 1 claims in relevant part:

> "a rotatable portion that is **rotatable with respect to the stationary portion**
>
> at least a first optical fiber system for optically interconnecting the first laser radiation source and the first optical detector with an emission end of the first optical fiber system, **the emission end disposed on the rotatable portion** for emitting laser radiation to the remote target and for receiving laser radiation reflected from the remote target, wherein an emission direction of the laser radiation is controlled according to the rotation of the rotatable portion." (**emphasis added**)

Regarding these limitations, it is respectfully not seen where the cited references teach or suggest the claimed structure quoted above.

For example, the USPTO respectfully argues on page 3 of the Office Action that structure 3 of Gelbart is the specifically claimed rotatable portion. The USPTO respectfully notes on page 3 of the Office Action that "Gelbart does not expressly state the portion (3) is rotated." The USPTO attempts to overcome this deficiency in Gelbart by arguing on page 3

of the Office Action that "since there is nothing to prevent the rotation, the portion 3 is rotatable."

However, **this argument is a clear technical error by the USPTO.** For example, as noted in column 3, lines 41-42 of Gelbart, transceivers 3 and 3a "are mounted on stable points in room 1." Additionally, it is respectfully important to note that Gelbart does not teach or suggest any structure at all for rotating transceivers 3 and 3a. Thus, because **transceivers 3 of Gelbart are mounted on a stable point and there is no structure for rotating transceivers 3**, it is respectfully asserted that transceiver 3 is not rotatable with respect to a stationary portion, as claimed in claim 1. Therefore, it is respectfully asserted that transceiver 3 cannot be the specifically claimed rotatable portion of claim 1, and **the USPTO has made a clear technical error by arguing that transceiver 3 of Gelbart is a rotatable portion**.

The USPTO further respectfully argues on page 4 of the Office Action that "element (24) [of Gelbart] which is part of element (3) rotates relative to the laser and detector." However, it is respectfully asserted that **this argument by the USPTO is a technical error because element 24 of Gelbart cannot be the specifically claimed rotatable portion of claim 1.** For example, Figure 4 of Gelbart shows that there is no emission end of an optical fiber system disposed on structure 24, as claimed in claim 1. Therefore, element 24 of Gelbart cannot be the specifically claimed rotatable portion of claim 1.

Additionally, it is further respectfully asserted that Sciaky does not overcome these deficiencies in the primary reference Gelbart. For example, Sciaky does not teach or suggest anything about a rotatable portion that is rotatable with respect to a stationary portion and an emission end of a optical fiber system disposed on the rotatable portion, as claimed in claim 1.

In contrast, present Figures 1-3 illustrate at least one possible embodiment of the claimed structure quoted above. For example, present Figure 1 shows a stationary base 101 (i.e., a stationary portion), and **a rigid structure 190 (i.e., a rotatable portion) that can be rotated with respect to stationary base 101 by motors 80, 81.** Additionally, as seen in present Figure 3, **emission ends of optical fibers 110, 111, and 115 are disposed on beam combiner block 200 that is located on rigid structure 190** (i.e., the rotatable portion). Thus, it is respectfully asserted that rigid structure 190 is one possible embodiment of the specifically claimed rotatable portion of claim 1.

The distinction noted above is important and non-trivial because it results in significant advantages over conventional devices. For example, as noted no page 5 of the present specification, the specifically claimed structure of claim 1 allows for improved laser beam steering, six degree of freedom measurements, and the capability to locate multiple retroreflectors distributed throughout large volumes. Additionally, the specifically claimed device of claim 1 can be easily manufactured at a low cost without requiring complex beam-steering optics.

Thus, it is respectfully asserted that the cited references, taken either alone or in combination, do not teach or suggest all the claimed limitations of independent claim 1. Therefore, it is respectfully asserted that independent claim 1 is allowable over the cited references.

B. The dependent claims.

As noted above, it is respectfully asserted that independent claim 1 is allowable, and therefore it is further respectfully asserted that dependent claims 2-20 are also allowable.

III. Conclusion.

Reconsideration and allowance of all of the claims is respectfully requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Please contact the undersigned for any reason. Applicants seek to cooperate with the Examiner including via telephone if convenient for the Examiner.

Respectfully submitted,

By: / Daniel P. Lent/____
Daniel P. Lent
Registration No. 44,867

Date: October 23, 2008
CANTOR COLBURN LLP
20 Church Street, 22nd Floor
Hartford, CT 06103
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No.: 23413